IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

**WRIT PETITION NO : 16042 of 2004**

Between:

1 M. Govind Reddy, S/o. Appi Reddy,
R/o. Dhamsalapuram Village, Khammam District.
2 M. Nagaratnamma, W/o. Brahma Reddy,
R/o. Dhamsalapuram Village, Khammam District.
3 G. Rami Reddy, S/o. Venkata Reddy,
R/o. Dhamsalapuram Village, Khammam District.
4 G. Janakamma, W/o. Rami Reddy,
R/o. Dhamsalapuram Village, Khammam District.
5 M. Anji Reddy, S/o. Subba Reddy,
R/o. Dhamsalapuram Village, Khammam District.
6 M. Raghurami Reddy, S/o. Subba Reddy,
R/o. Dhamsalapuram Village, Khammam District.
7 S. Tirupathaiah, S/o. Narsaiah,
R/o. Dhamsalapuram Village, Khammam District.
8 M. Janakamma, W/o. Yelagondaiah,
R/o. Dhamsalapuram Village, Khammam District.
9 M. Yelagondaiah, S/o. Veeraiah,
R/o. Dhamsalapuram Village, Khammam District.
10 M.S. Prakash Papi Reddy, S/o. Veerabadra Reddy,
R/o. Dhamsalapuram Village, Khammam District.
11 M. Venkat Reddy, S/o. Veerabadra Reddy,
R/o. Dhamsalapuram Village, Khammam District.
12 M. Ramakrishna Reddy, S/o. Veerabadra Reddy,
R/o. Dhamsalapuram Village, Khammam District.
13 M. Brahma Reddy, S/o. Appi Reddy,
R/o. Dhamsalapuram Village, Khammam District.

**..... PETITIONERS**

AND

1 The Commissioner of Land Revenue, Hyderabad.
2 The Joint Collector, Khammam District, Khammam.
3 The Mandal Revenue Officer, Khammam (Urban), Khammam.
4 The Revenue Divisional Officer, Khammam (Urban) Khammam.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ order/s declaring the action of the 1st respondent in not granting stay of the operation of the order dated 16-8-2004 passed by the 2nd respondent pending disposal of appeal.

**For the Petitioner: MR.B.VIJAYSEN REDDY , Advocate**

**For the Respondents: GP FOR REVENUE**

**The Court made the following :**

**ORAL ORDER:**

Heard the learned counsel for the petitioners and learned Assistant Government Pleader for Revenue.

Against the order passed by the Mandal Revenue Officer, Khammam Urban under Section 6 of the Andhra Pradesh Land Encroachment Act, 1905 ( for short “the Act”), the petitioners filed an appeal before the Revenue Divisional Officer, Khammam in Appeal Case No.B1/4538/98, which was dismissed on 7-8-2003. Questioning the same, the petitioners filed WP No.18507/2003, which was disposed of on 1-9-2003 with a direction to the petitioners therein to file revision under Section 12-A of the Act and granted status quo till the decision is taken by the revisional authority. Since no further appeal lies, the petitioners filed a revision petition before the Joint Collector, Khammam, who by order dt. 16-8-2004 dismissed the same. Aggrieved by the same, the petitioners filed revision before the Commissioner of Land Revenue, Hyderabad on 25-8-2004, along with an application seeking stay of the order passed by the Joint Collector. Since no orders are forthcoming, the petitioners filed the present writ petition.

Learned Assistant Government Pleader fairly concedes that till the matter is disposed of by the revisional authority, status quo may be granted.

Having regard to the fact that the revision petition along with the stay application filed by the petitioners is pending with the first respondent, it is directed that the first respondent is directed to dispose of the revision petition and stay petition filed by the petitioners in accordance with law as expeditiously as possible after due notice to the parties concerned. Till the disposal of the revision, status quo with regard to possession shall be maintained pursuant to the impugned order dt. 16-8-2004 passed by the second respondent.

With the above direction, the writ petition is accordingly disposed of.

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A.GOPAL REDDY,J

Dt. 9-9-2004

Kmr

1 The Commissioner of Land Revenue, Hyderabad.
2 The Joint Collector, Khammam District, Khammam.
3 The Mandal Revenue Officer, Khammam (Urban), Khammam.
4 The Revenue Divisional Officer, Khammam (Urban) Khammam.

5. Two CCs to the Govt., Pleader for Revenue, High Court Buildings, Hyderabad (OUT)

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